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June 1, 2010

Sent via E-mail and U.S. Mail

Ms. Kathy Harder
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Ste 200
Rancho Cordova, CA 95670-6114

Subject: Comments on ***“NPDES Permit Renewal Issues: Aquatic Life and Wildlife Preservation, Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant, 28 April 2010.”***

Dear Ms. Harder:

The Association of California Water Agencies (ACWA) appreciated the opportunity to submit comments on the ***“NPDES Permit Renewal Issues Aquatic Life and Wildlife Preservation, Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant, 28 April 2010”*** (Issue Paper). The Issue Paper was prepared by the staff of the Central Valley Regional Water Quality Control Board (CVRWQCB) to support development of the National Pollutant Discharge Elimination System (NPDES) permit renewal for the Sacramento Regional County Sanitation District's (SRCSD) Regional Wastewater Treatment Plant discharge to the Sacramento River. As described in this letter, ACWA believes that the Issue Paper should be substantially revised to present the new findings concerning the significance of nutrient loading on the Bay-Delta ecosystem that show that current nutrient discharge requirements are not sufficiently protective. Additionally, we believe the scope of the Issue Paper should be broadened to frame the ecosystem context in which the NPDES permit renewal is occurring.

ACWA, a diverse statewide association of nearly 450 public water agencies, is committed to sustainable management of our water resources. ACWA strongly believes that reliable, adequate water supplies and a healthy ecosystem must be primary co-equal goals for sustainable water management in watersheds throughout the state. With its recent adoption of a comprehensive water package, the Legislature has adopted co-equal goals as the basis for management and restoration of the Bay-Delta ecosystem. Since the Bay-Delta is the hub of a water system upon which 22 million people are currently dependent, it is essential that the co-equal goals be fully considered as a basis for all resource management decisions affecting this ecosystem

The Bay-Delta ecosystem is widely recognized as being in crisis. The significant collapse in the abundance of delta smelt (*Hypomesus transpacificus*), longfin smelt

(*Spirinchus thaleichthys*), striped bass (*Morone saxatilis*), and threadfin shad (*Dorosoma petenense*), termed the Pelagic Organism Decline (POD), has occurred despite investments of hundreds of millions of dollars in habitat restoration and the reallocation of millions of acre feet of water previously available for urban and agricultural use. Based on the best available science to date, the POD has likely been caused by a combination of environmental conditions, including a decline in habitat quality, increased fish mortality rates, and reduced food availability. One of the environmental stressors suspected as being a cause of the POD is increased nutrient loading, which adversely impacts of the Delta food chain.

In response to this Delta crisis, export water agencies, Federal and state agencies, environmental organizations, fishery agencies, and other organizations are working together to develop a multi-species habitat conservation plan in the Delta. When completed, the Bay Delta Conservation Plan (BDCP) is expected to provide an ecosystem approach to water management and habitat restoration in the Delta. The BDCP is expected to include measures that comprehensively address all of the suspected environmental stressors, from water flows, to habitat restoration, invasive species, and nutrient loading.

The Delta Stewardship Council, established under SBX7 1 with the responsibility to develop a management plan for the Delta, has stated that the co-equal goals of water supply reliability and ecosystem sustainability are the foundation for successful restoration of the Delta and in order to achieve these goals, all factors adversely affecting the Delta ecosystem must be addressed.

The Issue Paper is intended to support a decision regarding renewal of a National Pollutant Discharge Elimination System (NPDES) permit. One option being proposed by the SRCSD is to increase the regional wastewater treatment plant's allowable average dry weather discharge flow of secondary treated waste from 181 mgd to 218 mgd. This would be an increase of approximately twenty percent. The NPDES permit is expected to include the requirements necessary to protect Delta beneficial uses, including warm and cold freshwater habitat (WARM and COLD), wildlife habitat (WILD), migration of aquatic organisms (MIGR), and spawning, reproduction, and/or early development (SPWN).

As you know, a recently released study by Dr. Patricia M. Glibert of the University of Maryland Center for Environmental Science found a strong correlation between effluent discharges at the Sacramento Regional Wastewater Treatment Plant, a major wastewater treatment facility, and declines in the food sources of Delta smelt and other POD species. This research underscores what ACWA and many others have been saying about the critical need for a multi-species, multi-stressor approach to addressing the Delta crisis. It is clear that a more comprehensive approach is the only way to move in the direction of achieving the co-equal goals of improved ecosystem health and improved water supply reliability.

ACWA requests that the CVRWQCB revise the Issue Paper to broaden the Delta ecosystem context in which the NPDES permit renewal is occurring, and to fully present and evaluate the new scientific findings concerning the significance of nutrient loading on the Bay-Delta

Comments on NPDES Permit Renewal Issues: Aquatic Life
and Wildlife Preservation, SRCSD, Sacramento RWTP

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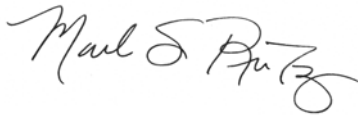
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ecosystem. We also request that the Issue Paper contain a critical evaluation of the effectiveness of the current nutrient discharge requirements in the NPDES permit at existing and proposed discharge levels, and in the context of cumulative nutrient loading in the Delta.

ACWA expects that such a re-evaluation of the ecosystem impacts of current and proposed nutrient loading, in combination with the drinking water quality impacts associated with the discharges, will clearly indicate that more protective discharge requirements need to be imposed as part of the NPDES permit renewal.

We appreciate your continued work on this extremely importing matter. If you have any questions, please contact David Bolland, Senior Regulatory Advocate, or myself.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark S. Rentz". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark S. Rentz
Director of Regulatory Affairs